

**MONTANA PUBLIC SERVICE COMMISSION  
AGENDA NO. 12-01-17**

Date Published: January 12, 2012  
For Work Week Commencing: January 16, 2012  
Commission Meeting: January 17, 2012, 11:30 a.m.

General Introduction *This agenda is the Commission's agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website at <http://psc.mt.gov> (go to "Agendas & Meetings" then "Audio/Video Archives"). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

**11:15 a.m. Weekly Scheduling** (Commission Conference Room – No Web Audio Feed)

**11:30 a.m. Business** (Bollinger Room)

**Public Comments**

**Action Items** All items identified below are for action at the Commission business meeting.

1. Approval of Commission Minutes (Aleisha)

Approval of the Commission Minutes for the week of January 10, 2012

2. NorthWestern Energy N2011.12.100 (Neil)

On December 9, 2011, NorthWestern Energy (NWE) submitted revised natural gas utility rules and tariffs. The rules and tariffs were revised to replace all references to the Montana Power Company with references to NorthWestern Energy, and to clarify and correct language regarding the income tax surcharge on advances and contributions. NWE believes the revisions are necessary to reflect current circumstance and to make these rules and tariffs consistent with previously approved rules and tariffs.

Probable Motion: Move to approve NWE's revised natural gas tariffs.

3. NorthWestern Energy N2011.12.101 (Dagan)

NorthWestern Energy (NWE) has submitted revised Propane utility rules for approval by the Montana Public Service Commission. The propane rules have been revised to provide clarity and correction of language regarding the income tax surcharge on advances or contributions. These revisions are necessary so that the tariff sheets properly reflect current circumstances and are consistent with other rules that have been previously approved. Probable Motion: Move to approve NWE's revised propane tariffs.

4. NorthWestern Energy N2011.12.102 (Mike)

On December 12, 2011, NorthWestern Energy (NWE) filed revisions to its Electric tariff sheets to reflect the following:

- 1) Removal of references to "Default" and replacement of these references with "Electricity" to be consistent with House Bill 25; and
- 2) Revisions to provide clarity and correction of language regarding the income tax surcharge on advances or contributions.

NWE believes these revisions are necessary so that these tariff sheets properly reflect current circumstances and are consistent with other tariff sheets that have been previously approved. Probable Motion: Move to approve NWE's revised electric tariffs.

5. Qwest Corporation dba CenturyLink D2006.3.41 (Mike)  
CenturyLink/Montana Opticom, LLC

Qwest Corporation d/b/a CenturyLink has filed a Consolidation Amendment to the Wireless Interconnection Agreement between Qwest Corporation d/b/a CenturyLink QC and Montana Opticom LLC. ("Surviving Entity"), Lightnexus fka Vivid Networks, Inc. and Bridgeband Communications, Inc. ("Merging Entities"), for the State of Montana. Montana Opticom has requested from CenturyLink that the Surviving Entity be allowed to operate under one Interconnection Agreement, the Surviving Entity Interconnection Agreement as identified on Attachment B of the filing, but continue placing orders utilizing the separate codes of the Merging Entities instead of combining all facilities under a single code. Any other Interconnection Agreements previously used by the Merging Entities, shall immediately terminate. This amendment was voluntarily negotiated by the parties involved. Probable Motion: Move to approve CenturyLink's proposed Amendment to the Interconnection Agreement.

**Work Sessions** All items identified below are for Commission discussion or action on the day designated.

1. D2011.6.46 – Electric City Power Inc. (ECP) – Petition for a Short-Term Waiver from Full Compliance with the Montana Renewable Portfolio Standard – Discuss and act on: (1) Petition for a Short-Term Waiver from Full Compliance with the Montana Renewable Portfolio Standard; (2) Settlement offer; and /or (3) Assessing the administrative penalty. (1/17/12)
2. Placeholder - D2011.4.34 – AquaFlo, LLC – General rate case – Discuss and act on objections to data requests. (1/17/12)
3. D2011.12.97 – NorthWestern Energy – Property tax tracker – Act on final order. (1/17/12)
4. Compliance with 69-12-328 MCA – Discuss and act on issuance of grandfather charter certificates. (1/17/12)
5. N2011.7.65 – NorthWestern Energy – Electric line extension tariff revisions to reflect line extension refund period changing from 5 to 10 years – Discuss and act on proposed tariff. (1/17/12)
6. Out of state staff travel – Obtain approval for (1) Leroy Beeby and Scott Fabel to attend the NARUC Staff Subcommittee on Accounting & Finance meeting, March 25-29, 2012, in Hilton Head, SC, (2) Justin Kraske to attend the

National Conference of Regulatory Attorneys, May 20-23, 2012, in Indianapolis, IN, and (3) Jason Brown to attend the Electric Utility Rate Cases Conference, February 2-3, 2012, in Las Vegas, NV. (1/17/12)

### **Other Meetings**

#### **1/18/12 - BPA – State Commissioners meeting – Portland OR**

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

**Notice Items** All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Lincoln Telephone Company, Inc. N2012.1.5 (Gary)

On January 9, 2012, Lincoln Telephone Company, Inc. filed a Lincoln specific addendum to the existing Telephone Exchange Carriers of Montana (TECOM) intrastate access tariff. The purpose of this filing is to propose the addition of tariff language for implementation of the intercarrier compensation regime for certain VoIP-PSTN traffic as mandated in the Federal Communications Commission's November 18, 2011 Report and Order and Further Notice of Proposed Rulemaking in WC Docket Nos. 10-90, etc. (FCC 11-161).

2. Southern Montana Telephone Company N2012.1.7 (Gary)

On January 11, 2012, Southern Montana Telephone Company filed a Southern specific addendum to the existing Telephone Exchange Carriers of Montana (TECOM) intrastate access tariff. The purpose of this filing is to propose the addition of tariff language for implementation of the intercarrier compensation regime for certain VoIP-PSTN traffic as mandated in the Federal Communications Commission's November 18, 2011 Report and Order and Further Notice of Proposed Rulemaking in WC Docket Nos. 10-90, etc. (FCC 11-161).

### 3. Central Montana Communications & Triangle Telephone N2012.1.8 (Gary)

On January 11, 2012, Central Montana Communications filed a Central specific addendum to the existing Montana Independent Local Exchange Carrier (MILEC) intrastate access tariff. The purpose of this filing is to propose the addition of tariff language for implementation of the intercarrier compensation regime for certain VoIP-PSTN traffic as mandated in the Federal Communications Commission's November 18, 2011 Report and Order and Further Notice of Proposed Rulemaking in WC Docket Nos. 10-90, etc. (FCC 11-161). Triangle Telephone Cooperative participated in the filing as concurring in the Central MILEC addendum.

**Protective Orders – Notice Items** The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Copies of these requests may be viewed on the Commission's web site at <http://psc.mt.gov>

**Protective Orders – Information Items** The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be viewed on the Commission's web site at <http://psc.mt.gov>

**Information Items** All items identified below are for information only.

### **New Filings Received in Past Week**

D2012.1.2 - Cut Bank Gas Company - Monthly Gas Cost Rate Adjustment  
Effective for the Period January 1 through December 31, 2012

N2012.1.4 - PPL Treasure State LLC - Requesting Authorization to use a  
Renewable Energy Credit Tracking and Verification Mechanism in Addition to the  
WREGIS

N2012.1.5 - Lincoln Telephone Company Inc. - VoIP-PSTN Tariff Revisions

D2012.1.6 - Qwest Corporation - CenturyLink QC and Spectrotel Inc - Application  
for Approval of the Adoption of the Wireline Interconnection Agreements between  
Granite Telecommunications LLC and Qwest Corporation d/b/a CenturyLink QC

N2012.1.7 - Southern Montana Telephone Company - VoIP-PSTN Tariff  
Revisions

N2012.1.8 – Central Montana Communications - VoIP-PSTN Tariff Revisions